

# Children and Families Bill

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## AMENDMENTS TO BE MOVED ON REPORT

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### Before Clause 1

LORD NASH

Insert the following new Clause—

#### **“Contact between prescribed persons and adopted person’s relatives**

- (1) In section 98 of the Adoption and Children Act 2002 (pre-commencement adoptions: information), after subsection (1) insert—
  - “(1A) Regulations under section 9 may make provision for the purpose of facilitating contact between persons with a prescribed relationship to a person adopted before the appointed day and that person’s relatives.”
- (2) In each of subsections (2) and (3) of that section, for “that purpose” substitute “a purpose within subsection (1) or (1A)”.
- (3) In subsection (7) of that section, after the definition of “appointed day” insert—

““prescribed” means prescribed by regulations under section 9;”.

### Clause 3

LORD NASH

Page 3, line 2, at end insert—

- “(2) The Secretary of State may not give a direction under subsection (1) of section 3A of the Adoption and Children Act 2002 (as inserted by subsection (1)) to all local authorities in England before 1 March 2015.”

**Clause 9**

LORD NASH

Transpose Clause 9 to after Clause 80

**After Clause 14**

LORD LLOYD OF BERWICK

Insert the following new Clause –

**“Care proceedings: standard of proof**

- (1) The Children Act 1989 is amended as follows.
- (2) In section 31 (care and supervision), after subsection (2) insert –
  - “(2A) Subsection (2) above shall be interpreted so as to permit a court to infer that a child is likely to suffer significant harm from the sole fact that the child is, or will be, living with a person who is a possible perpetrator of significant harm to another child.
  - (2B) For the purposes of subsection (2A), a person (the person concerned) is to be treated as a “possible perpetrator” if –
    - (a) a child has suffered significant harm;
    - (b) the court is unable to identify the actual perpetrator of the said harm but identifies a list of possible perpetrators by finding (in relation to each such person) that there is a real possibility that he caused significant harm to the child; and
    - (c) the person concerned is one of the persons on the said list.”

**Clause 118**

LORD NASH

Page 123, line 2, at end insert –

- “(1A) Section (*Contact between prescribed persons and adopted person’s relatives*) –
  - (a) so far as it relates to England, comes into force on such day as the Secretary of State appoints by order, and
  - (b) so far as it relates to Wales, comes into force on such day as the Welsh Ministers appoint by order.”

Page 123, line 9, after “subsection” insert “(1A),”



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